

**REMARKS**

**I. Status**

The Office Action indicates claims 1-28 to be pending in this Application.

Claims 1-12, 15-22, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brachman (U.S. Patent No. 6,704,576) in view of Zhang (U.S. Patent No. 6,741,575) and Rimhagen (U.S. Patent No. 6,594,245).

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brachman, Zhang, and Rimhagen in view of Stanforth (U.S. Pub. No. 2002/0058502).

Claims 23, 24, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brachman, Zhang, and Rimhagen in view of Khan (U.S. Pub. No. 2002/0143951).

Claims 1-12 are independent.

**II. Rejection of Independent Claims 1-12 under 35 U.S.C. 103**

The Office Action rejects independent claims 1-12 under 35 U.S.C. 103(a) as being unpatentable over Brachman in view of Zhang and Rimhagen.

However, Applicants respectfully submit that Brachman, Zhang, and Rimhagen, taken individually or in combination, fail, for example, to disclose, teach, or suggest:

“... wherein said deciding takes into account relationship information received from one or more members of the reception group, wherein the relationship information received from each of said one or more members comprises indication of a plurality of cells with which that member is capable of communicating ...”

as set forth in each of claims 1, 2, 5-8, 11, and 12 (emphasis added).

The Office Action apparently contends that such is provided by the combination of Brachman and Rimhagen, the Office Action apparently equating a mobile unit contacting a server via a cell with that mobile unit providing relationship information comprising indication of a cell with which it is capable of communicating, with the Office Action apparently contending that Rimhagen discloses a mobile station being involved in a plurality of such contacts.

However, Applicants respectfully submit that even if such equation is taken to be true for the sake of argument, Rimhagen, taken alone or in combination Brachman, would merely discuss a plurality of provisions of relationship information that each provide relationship information comprising indication of a single cell, and would fail, for instance, to disclose, teach, or suggest a single provision of relationship information comprising indication of a plurality of cells.

As another example, Applicants respectfully submit that Brachman, Zhang, and Rimhagen, taken individually or in combination, fail to disclose, teach, or suggest:

“... wherein the available cellular distributions comprise one or more different possibilities for at least one member of the reception group establishing relationship with a plurality of first cells and severing relationship with a plurality of second cells ...”

as set forth in each of claims 3, 4, 9, and 10.

The Office Action apparently contends that such is disclosed by column 5 lines 20-30 of Rimhagen. However, Applicants respectfully observe that this portion of Rimhagen instead merely discusses assigning multiple base stations to a mobile station when the bandwidth required for communication exceeds the available bandwidth resources of the best-serving base station:

“[t]he network assigns multiple CSs as necessary to service the communication requested by the RCS (step 215). The network may therefore assign multiple CSs when the bandwidth required for the communication request exceeds the available bandwidth resources of the best-serving CS and/or when transmissions of an acceptable signal quality between the requesting RCS and the second, third, etc. best-serving CSs may be established. The multiple assigned CSs service the RCS for the requested communication (step 220)”  
(see Rimbagen col. 5 ln. 20-28).

In view of at least the foregoing, Applicants respectfully submit that claims 1-12, as well as those claims that depend therefrom, are in condition for allowance.

### **III. Dependent Claims**

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate

*(Continued on next page)*

**CONCLUSION**

Applicants respectfully submit that this Application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this Application in any way, the Examiner is invited to contact the undersigned at the number provided.

**AUTHORIZATION**

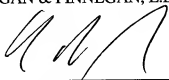
The Commissioner is hereby authorized to charge any fees which may be required for this response, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4057.

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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Dated: January 17, 2008

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